

Message Text

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14

ACTION ARA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

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P R 142201Z SEP 76

FM AMEMBASSY TEGUCIGALPA

TO SECSTATE WASHDC PRIORITY 4483

INFO AMEMBASSY SAN SALVADOR PRIORITY

AMEMBASSY GUATEMALA

AMEMBASSY MANAGUA

AMEMBASSY SAN JOSE

USCINCSO

C O N F I D E N T I A L TEGUCIGALPA 4433

E.O. 11652: GDS

TAGS: PFOR, OAS, ES, HO

SUBJECT: MEDIATION AGREEMENT

REF: TEGUCIGALPA 4247 (DTG 22133Z SEPTEMBER 76)

BEGIN SUMMARY. VICE FONMIN CALLEJAS TOLD POLOFF THAT MEDIATION AGREEMENT NEGOTIATED IN WASHINGTON WAS BASED ON 1974 DRAFT PROPOSAL DEVELOPED BY HONDURAN EX-FONMIN BATRES AND SALVADORAN FONMIN BORGONOVO.

HE EMPHASIZED THAT THE GOH WILL RATIFY THE AGREEMENT AND WILL BE PREPARED TO SELECT A MEDIATOR IN SAN JOSE. AT LEAST AT THIS STAGE, THERE SEEMS TO BE GENERALIZED SUPPORT IN HONDURAS FOR REACHING AN AGREEMENT AS SOON AS POSSIBLE. END SUMMARY.

1. POLOFF HAD CONVERSATION WITH VICE FONMIN POLICARPO CALLEJAS ON SEPTEMBER 14 IN REGARD TO CONCLUSION OF MEDIATION AGREEMENT IN WASHINGTON. CALLEJAS SAID THAT AGREEMENT HAD BEEN COMPLETED ON SEPTEMBER 10 AFTER SEVERAL MODIFICATIONS HAD BEEN INTRODUCED INTO THE BATRES-BORGONOVO DRAFT MEDIATION PROPOSAL OF 1974. HE COMMENTED THAT THE HONDURAN DELEGATION PROPOSED TO MODIFY THE 1974
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PROPOSAL BY MAKING A CHIEF OF STATE (REPORTED REFTEL), RATHER

THAN A JURIST, THE MEDIATOR. HOWEVER, THE SALVADORANS REJECTED THE IDEA DURING THE TALKS AND THE HONDURANS DID NOT THINK IT IMPORTANT ENOUGH TO PRESS THE ISSUE. HE PRAISED OAS SEC GEN ORFILA FOR HIS FIRM AND INTELLIGENT HANDLING OF THE TALKS.

2. CALLEJAS SAID THAT CHIEF OF STATE MALGAR, THE COUNCIL OF MINISTERS AND THE SUPERIOR DEFENSE COUNCIL HAVE ALL APPROVED THE AGREEMENT. HE OBSERVED THAT THE GOES MUST ALSO ACCEPT IT. THE OAS WILL BE NOTIFIED OF THE ACCEPTANCES PRIOR TO SEPTEMBER 27 AND THE AGREEMENT WILL BE SIGNED IN WASHINGTON ON OCTOBER 4. CALLEJAS POINTED OUT THAT THE AGREEMENT WILL THEN HAVE TO BE RATIFIED BY BOTH COUNTRIES PRIOR TO ITS BEING DEPOSITED IN WASHINGTON. HE SAID THAT THE GOH WILL HAVE NO DIFFICULTY IN RATIFICATION; HOWEVER, HE REMARKED THAT THE LEGISLATIVE ASSEMBLY WILL HAVE TO RATIFY THE AGREEMENT IN EL SALVADOR.

3. HE SAID THAT SOON AFTER THE AGREEMENT HAS BEEN DEPOSITED, THE GOES AND GOH WILL MEET IN SAN JOSE TO SELECT THE JURIST WHO WILL BE THE MEDIATOR. HE SAID THAT HE PERSONALLY BELIEVES THAT IT WILL BE POSSIBLE FOR THE TWO GOVERNMENTS TO AGREE ON AN INDIVIDUAL PRIOR TO THE MEETING IN SAN JOSE; IF NOT, THE NAME WILL BE SELECTED BY DRAWING FROM A LIST OF EIGHT INDIVIDUALS. HE SAID THAT THE JURIST SELECTED WOULD BE FROM SPAIN OR FROM ONE OF THE SPANISH-SPEAKING COUNTRIES OF SOUTH AMERICA. HE REMARKED THAT THE MEDIATION PROCESS SHOULD BE COMPLETED IN LESS THAN A YEAR.

4. BEGIN COMMENT. THERE IS NO DOUBT THAT THE GOH LEADERSHIP IS OPTIMISTIC AS A RESULT OF THE ADOPTION OF THE MEDIATION AGREEMENT. THEY BELIEVE THAT IT OFFERS THE ONLY REALISTIC METHOD OF RESOLVING THE SEVEN-YEAR OLD DISPUTE. FURTHERMORE, THEY BELIEVE THAT THE GOES SEEMS TO BE SINCERE IN ITS DESIRE TO RESOLVE THE DISPUTE. AT LEAST AT THIS STAGE THERE APPEARS TO BE A GENERALIZED SUPPORT IN HONDURAS FOR REACHING A SETTLEMENT AS SOON AS POSSIBLE. END COMMENT.
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